

examined and compared Senate bill No. 472, "An act to provide for the building and completing of two State penitentiaries, with a view to the utilization of the convict labor of the State, in mining and manufacturing enterprises," and find the same correctly engrossed.

JOSEPH, for committee.

Senator Ireland introduced a bill entitled "An act to amend section seven of an act entitled 'an act prescribing the time of holding the district courts in the several judicial districts in the State of Texas,' approved August the 8th, 1870; and to repeal the act passed April 29, 1874, amendatory of the above entitled act." Read first time and referred to Judiciary Committee.

Senator Ireland introduced a bill entitled "An act to amend section nine of 'an act defining the duties of the Attorney General of the State of Texas,' approved May 11, 1846." Read first time and referred to Judiciary Committee.

On motion of Senator Stirman, the rules were suspended, and House bill No. 563, "An act to incorporate the Corsicana and Palestine Railroad Company, and aid in constructing the same by granting lands thereto," was taken up, read first time and referred to Committee on Internal Improvements.

Senator Ledbetter introduced a joint resolution "in regard to authorizing and requiring the Secretary of State to have the laws of the Fourteenth Legislature translated into Spanish and German for publication." Read first time and referred to Committee on Public Printing.

On motion of Senator Shepard, the Senate adjourned to 12 o'clock M., to-morrow.

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## NINTH DAY.

SENATE CHAMBER,  
AUSTIN, January 21, 1875.

Senate met pursuant to adjournment. Roll called; quorum present. Prayer by the chaplain.

On motion of Senator Flanagan, the reading of the jour-

nal of yesterday was dispensed with, and the same was adopted.

On motion of Senator Stirman, the Secretary of the Senate was excused for the day, on account of illness.

Senator Westfall presented the memorial of citizens of various counties, "asking the passage of a law for the protection of game;" also a communication from the Hon. C. S. West, of Austin, to the President of the Senate, in relation to the same matter. All read and referred to Judiciary Committee.

Senator Ellis presented a memorial from citizens of Lavaca county, "asking that a bill be passed for the relief of Frank Rubblis, of said county." Read and referred to Committee on State Affairs.

Senator Joseph, for Committee on Engrossed Bills, submitted the following report:

*Hon. R. B. Hubbard, President of the Senate:*

Your Committee on Engrossed Bills have carefully examined and compared Senate bill No. 468, "An act to amend an act entitled 'an act to incorporate the Beaumont, Corsicana and Fort Worth R. R. Company,'" and find the same correctly engrossed. JOSEPH, for Committee.

Senator Friend, for Committee on Engrossed Bills, submitted the following reports:

*Hon. R. B. Hubbard, President of the Senate:*

Your Committee on Engrossed Bills, have carefully examined and compared Senate bill No. 481, "An act to be entitled an act, supplementary to and amendatory of an act entitled 'an act to incorporate the Tyler Tap Railroad Company,'" approved December 1st, 1871, and find the same correctly engrossed.

W. R. FRIEND, for Committee.

*Hon. R. B. Hubbard, President of the Senate:*

Your Committee on Engrossed Bills have carefully examined and compared Senate bill No. 473, "An act to amend an act entitled 'an act to reorganize the Seventh, Eighth and Eleventh Judicial Districts of the State of Texas, and to fix the time for holding the courts therein,'" approved April 17th, A. D. 1874, and find the same correctly engrossed. W. R. FRIEND, for Committee.

Senator Allison, Chairman Committee on Stock Raising, submitted the following report :

*Hon. R. B. Hubbard, President of the Senate:*

Your Committee on Stock Raising, to whom was referred Senate bill No. 471, "An act to amend 'an act to encourage stock raising,'" approved March 23, 1874, have carefully considered the same, and instruct me to report said bill back to your honorable body, with the recommendation that it do pass, with the following amendment.

R. D. ALLISON, Chairman.

The committee recommend that section four of the bill, which is a repeal of section forty-four of the original act, be stricken out, and that section five be made section four of the act.

A message was received from the House announcing the passage of the following House bills :

House bill No 551, "An act to prohibit the manufacture or sale of intoxicating liquors within two miles of the public square of Honey Grove, Texas."

House bill No. 573, "An act to amend 'an act to prohibit the sale of intoxicating or spirituous liquors within two miles of the town of Buena Vista.'"

House Bill No. 583, "An act to amend an act entitled 'an act to incorporate the Austin College,'" approved November 22, 1849.

House bill No. 585, "An act to amend an act entitled an act to amend section one of an act entitled an act to amend the thirty-fourth and thirty-sixth sections of 'an act prescribing the times of holding the district courts in the several judicial districts in the State,'" approved August 10, 1870; approved February 6, 1871; approved May 31, 1873.

House bill No. 599, "An act to amend an act entitled 'an act to amend article 382, title XI, chapter 3, of the Penal Code.'"

House bill No. 603, "An act to legalize the adoption of certain amendments to the charter of the town Victoria, in Victoria county."

Also, the passage of House joint resolution No. 53, "Authorizing the Speaker of the House of Representatives and the President of the Senate, to employ attorneys to defend a certain suit pending in the district court of Travis

county, and making an appropriation to defray the expenses thereof."

Senator Ireland, Chairman Judiciary Committee, submitted the following reports:

*Hon. R. B. Hubbard, President of the Senate:*

Your Committee on Judiciary, to whom was referred Senate bill No. 485, "An act to amend 'an act to amend an act to regulate attachments,'" approved January 16, 1850, report the same back to the Senate, and recommend its passage.

JOHN IRELAND, Chairman.

*Hon. R. B. Hubbard, President of the Senate:*

Senate bill, No. 487, "An act to amend sections 549 and 556, of the Code of Criminal Procedure," has been duly considered by your Judiciary Committee, and they instruct me to report the same back to the Senate, and recommend that it do not pass.

JOHN IRELAND, Chairman.

*Hon. R. B. Hubbard, President of the Senate:*

Your Judiciary Committee, to whom was referred Senate bill No. 459, "An act to incorporate the Guadalupe Cotton Manufactory," beg leave to report the same back to the Senate, and recommend that it do pass.

JOHN IRELAND, Chairman.

*Hon. R. B. Hubbard, President of the Senate:*

Your Judiciary Committee, report back to the Senate, Senate bill No. 478, "An act to provide for the removal of County Seats," with the following amendments, and recommend that it do pass, as amended. 1st. Amend by striking out the word "cost," in line 18, page 1; 2d. Amend by inserting between the words "the" and "centre," the word "geographical," in line 25, on page 1, so that it shall read, "the geographical centre."

JOHN IRELAND, Chairman.

*Hon. R. B. Hubbard, President of the Senate:*

Your Committee on Judiciary, to whom was referred Senate bill No. 513, "An act to validate the official acts of Jas. W. Bennett, as sheriff of Lavaca county, etc." report the same back to the Senate, and recommend its passage.

JOHN IRELAND, Chairman.

*Hon. R. B. Hubbard, President of the Senate:*

Your Judiciary Committee to whom was referred Senate

bill No. 482, "An act for the relief of master builders, mechanics, etc., and to regulate mechanics and other liens," respectfully report the same back to the Senate and recommend that it do not pass.

JNO. IRELAND, Chairman.

*Hon. R. B. Hubbard, President of the Senate :*

Your Judiciary Committee have considered Senate bill No. 512, entitled "An act to amend the fourteenth section of an act to punish certain offenses committed on Sunday," and instruct me to report the same back to the Senate and recommend that it do not pass.

JNO. IRELAND, Chairman.

*Hon. R. B. Hubbard, President of the Senate :*

Your Judiciary Committee to whom was referred Senate bill No. 476, entitled "An act exempting H. C. Loudon from payment of taxes, and memorial of Jessie B. Murphy on same subject," instructed me to report the accompanying bill as a substitute for Senate bill No. 476, and to meet the wants of the memorialists.

JNO. IRELAND, Chairman.

*Hon. R. B. Hubbard, President of the Senate :*

Committee on Judiciary to whom was referred Senate bill No. 515, entitled "An act to amend the ninth section of an act defining the duties of the Attorney General of the State," instruct me to report said bill back and ask its passage.

IRELAND, Chairman.

Senator Hobby, Chairman Committee on Enrolled Bills, submitted the following report :

*Hon. R. B. Hubbard, President of the Senate :*

Your Committee on Enrolled Bills ask leave to report that they have carefully examined and find correctly enrolled Senate bill No. 449, "An act to legalize the order of the county court of Galveston county, made January 4th, 1875, and to authorize the issuance of county bonds therein provided for," and have this day at 11 o'clock A. M., presented the same to the Governor for his approval.

HOBBY, Chairman.

Senator Westfall introduced a bill entitled "An act concerning the maintenance of suits effecting the title to real

estate." Read first time and referred to Judiciary Committee.

Senator Westfall offered the following resolution :

WHEREAS, His Excellency, the Governor, in his annual message, has recommended that an appropriation be made for the purpose of employing an oculist to treat all curable cases in the institution for the blind; therefore be it

*Resolved*, That the President of the Senate be requested to appoint a committee of five, whose duty it shall be to take into consideration that portion of the Governor's message, and report by bill or otherwise. Adopted.

The President appointed the following named Senators as said committee : Senators Westfall, Morris, Culberson, Davenport and Ball.

Senator Ball introduced a bill entitled "An act to provide for the sale of the lands heretofore granted to the various counties in this State for educational puposes." Read first time and referred to Committee on Public Lands.

Senator Moore introduced a bill entitled "An act to amend sections one and two of an act entitled 'an act to regulate taxation,'" approved June 3, 1873. Read first time and referred to Committee on Finance.

Senator Shepard introduced a bill entitled "An act for the relief of Charles Philips." Read first time and referred to Judiciary Committee.

On motion of Senator Ellis, the rules were suspended, and Senate bill No. 513, "An act to validate the official acts of James W. Bennett, as sheriff of Lavaca county," was taken up, read second time and ordered engrossed.

On motion of Senator Ellis, the rules were further suspended, bill read third time and passed.

Senator Bradshaw introduced a bill entitled "An act to prescribe the time of holding courts in the Thirteenth Judicial District, and to add the county of Young to said district." Read first time and referred to Judiciary Committee.

Senator Flanagan introduced a bill entitled "An act for the relief of the sheriff of Rusk county." Read first time.

On motion of Senator Flanagan, the rules were suspended and the bill read second time.

Senator Ireland offered the following amendment :

Add after the word "tax," in first section, the following

words: "not collected by him at the passage of this act." Adopted.

The bill, as amended, was then ordered engrossed.

On motion of Senator Westfall, the rules were further suspended, bill read third time and passed.

On motion of Senator Ireland, the rules were suspended, and Senate bill No. 515, "An act to amend the ninth section of 'an act defining the duties of the Attorney General of the State,'" was taken up, read second time and ordered engrossed.

On motion of Senator Ireland, the rules were further suspended, bill read third time and passed.

Senator Culberson introduced a bill entitled "An act to amend 'an act concerning rents and advances.'" Read first time and referred to Judiciary Committee.

Senator Joseph introduced a bill entitled "An act to amend section eight of an act entitled 'an act to incorporate the Gulf, Colorado and Santa Fe Railway Company, and to grant land in aid of the construction of the same.'" Read first time and referred to Judiciary Committee.

A message was received from the House, announcing the passage of House bill No. 537, "An act making an appropriation to complete the buildings and enclosures of the Agricultural and Mechanical College of Texas."

House joint resolution No. 49, "providing for lighting the Capitol with gas," was taken up and read first time.

On motion of Senator Westfall, the rules were suspended and the resolution read second time.

Senator Shepard offered the following amendment:

After the word "Mansion" add "Supreme Court rooms."

Senator Culberson offered the following as a substitute for the amendment offered by Senator Shepard:

"And the Land Office and other public buildings." Lost.

Senator Shepard then withdrew his amendment.

Senator Bradley moved the reference of the bill to the Committee on Public Buildings. Lost.

On motion of Senator Westfall, the rules were further suspended, bill read third time and passed, by the following vote:

YEAS—Senators Bradshaw, Camp, Ellis, Erath, Flanagan, Friend, Hobby, Joseph, Ledbetter, Parker, Shepard, Swift and Westfall—13.

NAYS—Senators Allison, Ball, Baker, Bradley, Culber-

son, Dillard, Davenport, Dwyer, Ireland, Morris, Moore and Stirman—12.

On motion of Senator Swift, the rules were suspended, and Senate bill No. 451, "An act to incorporate the Houston, East and West Texas Railway Company, and promote the construction thereof," was taken up and read second time, pending amendments by the committee reporting on said bill.

Senator Baker offered the following amendment :

"In section 6, erase the words, 'and Tyler.'" Lost.

The amendments offered by the committee were adopted.

Senator Baker offered the following amendment as an additional section to the bill :

Section 15. *Provided*, that should there be a deficiency in the public domain, no claim shall exist or liability of the State attach for any such deficiency. Adopted.

Senator Shepard offered the following amendment :

Strike out the word "sixteen" before the word "sections" and insert the word "twelve." Lost.

The bill, as amended, was then ordered engrossed.

On motion of Senator Baker, the rules were further suspended, bill read third time and passed by the following vote:

YEAS—Senators Baker, Camp, Culberson, Dillard, Davenport, Dwyer, Ellis, Erath, Flanagan, Friend, Hobby, Joseph, Ledbetter, Morris, Stirman and Swift—16.

NAYS—Senators Allison, Ball, Bradshaw, Bradley, Moore, Parker, Shepard and Westfall—8.

On motion of Senator Culberson, the rules were suspended, and House bill No. 535, "Act act to incorporate the Waxahachie Railroad Company, and to facilitate the building thereof," was taken up and read second time and passed to third reading.

Rules further suspended, bill read third time and passed by the following vote:

YEAS—Senators Ball, Baker, Bradley, Camp, Culberson, Dillard, Davenport, Dwyer, Ellis, Erath, Flanagan, Friend, Hobby, Ireland, Joseph, Morris, Moore, Parker, Shepard, Stirman, Swift and Westfall—23.

NAYS—Senators Allison and Bradshaw—2.

Senator Ireland introduced a bill entitled "An act prescribing the times of holding general elections in this State." Read first time and referred to Judiciary Committee.

On motion of Senator Culberson, the Senate adjourned until 10 o'clock A. M. to-morrow.